

to allow politics to stand in the way of sound policy. It is time to push the USMCA over the finish line.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. SASSE. Mr. President, first I would like to associate myself with the comments of my senior Senator about the necessity of the passage of the USMCA. The House of Representatives and the Speaker should schedule that vote immediately. There is clearly overwhelming support in both bodies for its passage.

I would also like to underscore my senior Senator's comments about the tragedy of the irrigation tunnel collapse in Nebraska and about the character of Nebraska's farmers and ranchers. They have dealt with yet another catastrophe after 81 of our 93 counties went through a state of emergency earlier this year in a flood.

I would like to just commend my senior Senator for a fine speech on a really important topic.

(The remarks of Mr. SASSE pertaining to the submission of S.J. Res. 58 are printed in today's RECORD under "Submitted Resolutions.")

Mr. SASSE. I yield back.

The PRESIDING OFFICER. The measure will be received and appropriately referred.

The Senator from Maryland.

S.J. RES. 53

Mr. CARDIN. Mr. President, I come to the floor to talk about S.J. Res. 53. We will have a chance to vote on that tomorrow. I am joined by my colleague from Maryland, Senator VAN HOLLEN, and my colleague on the Environment and Public Works Committee, Senator WHITEHOUSE from Rhode Island. I also want to thank Senator CARPER for his leadership as the senior Democrat on the Environment and Public Works Committee in regard to this resolution.

This resolution will be voted on tomorrow. It deals with the CRA—Congressional Review Act—vote in regard to the Trump administration's affordable clean energy rule. That is probably a misnomer. It is what I call the dirty powerplant rule. The CRA would repeal that so that we can go back to the Clean Power Plan that was promulgated under the Obama administration in 2015.

Let me explain what the Trump-era rule would do. First, it would repeal the Clean Power Plan that was issued in 2015. That plan had real results in it. It set limits on a powerplant's production of dangerous carbon. It made meaningful progress. The rule promulgated by President Trump's administration would repeal that and substitute it with a plan that would be a powerplant judgment in each powerplant—coal-burning only—and would not take into consideration the powerplant mix of individual States.

The previous rule allowed the States to figure out how to reach those goals. So a State could do a mix. They could start using natural gas. They could

start using renewable energy. They could meet their goals that are set with a reduction of about one-third of these dangerous carbon emissions but with local discretion on how to reach those goals.

The rule that was promulgated that I am seeking to reverse allows only efficiency per coal powerplants, does not allow the mixing of the different technologies, and prohibits the States from pursuing market-based plans.

I am going to tell you, in my region of the country, we have what is known as REGI, which is a compact to reduce carbon emissions. We do it by energizing market forces so that we can get to friendlier sources of energy, which, by the way, has helped our region not only reduce carbon emissions but create green energy jobs, which is in our interest.

Let me point out from the beginning that the powerplants are the largest stationary source of harmful carbon emissions. Why should everybody be concerned about it? We know its impact on climate change. We have seen the harmful impacts of climate change in America, from the wildfires out West to the flooding here in the East. We have seen the problems not only in our own community but throughout the world. In my own State of Maryland, we have had two 100-year floods within 20 months in Ellicott City, MD. The list goes on and on about the impact of climate change. We see the coastal line changing in our lifetime. We are seeing regular flooding. We are seeing habitable land become inhabitable. All of that is affected by our carbon emissions, and the Obama-era Clean Power Plan did something about it. The rule that we will have a chance to vote on tomorrow would do nothing about it.

We see this as a public health risk. I can't tell you how frequently I have heard from my constituents who have someone in their family who has a respiratory illness: What can we do for cleaner air? Children are staying home from school because of bad air days. Parents are missing time from work. Premature deaths. All that is impacted by clean air.

I talk frequently about the Chesapeake Bay. I am honored to represent the Chesapeake Bay region in the U.S. Senate, along with Senator VAN HOLLEN, and we treasure the work that has been done. It has been an international model of all the stakeholders coming together in order to clean up the Chesapeake Bay, and we are making tremendous progress on dealing with the sorts of pollution coming from runoff or from farming activities or development. But, quite frankly, we have not been successful in dealing with airborne pollutants that are going into the Chesapeake Bay.

In Maryland, we are a downwind State. We need a national effort here. Maryland could be doing everything right, but if the surrounding States are not, we suffer the consequences. That

is why the Clean Power Plan was so attractive in dealing with this issue, because it dealt with it with national goals. Establish how to attain them by the local governments. That is the way it should be.

Let me give the numbers. The Clean Power Plan that is repealed by the rule under the Trump administration would have reduced dangerous carbon emission by about one-third. We believe the rule that was promulgated by the Trump administration could actually increase dangerous emissions.

Let me use EPA's regulatory impact analysis. Looking at CO<sub>2</sub>—carbon dioxide—the Agency says that the Trump rule will reduce it by 0.7 percent. That is less than 1 percent. The Clean Power Plan issued by President Obama—19 percent. SO<sub>2</sub>s under Trump are 5.7 percent; under the Obama rule, 24 percent. NO<sub>x</sub> emissions under the plan that was promulgated under the Trump administration are 0.9 percent—less than 1 percent. Under the Clean Power Plan, it is 22 percent.

We really are talking about whether we are serious about dealing with dangerous carbon emissions or whether we are going to at best maintain the status quo; at worst, make things even worse.

It saddens me that my colleagues on the other side of the aisle are embracing the ACE rule, since it threatens to reverse much of the progress we have made in reducing air pollution—progress their conservationist Republican predecessors helped to spur. The Clean Air Act amendments, which established the sulfur dioxide—SO<sub>2</sub>—cap-and-trade program, were adopted in 1990. This was never a partisan issue; cap-and-trade was originally a Republican idea. George Herbert Walker Bush was President. It passed the House of Representatives by a 401-to-21 vote. It passed this body, the U.S. Senate, by an 89-to-11 vote. It has been highly successful. During George W. Bush's Presidency, the EPA determined that the SO<sub>2</sub> cap-and-trade program had a 40-1 benefit-to-cost ratio.

The Supreme Court held in *Massachusetts v. EPA* that the EPA has a responsibility to regulate these carbon emissions. So that is exactly what was done in 2015, which is now being jeopardized because of the regulation that was issued under the Trump administration.

I had a chance to serve in the State legislature. This is an affront to federalism. Innovation for green energy and jobs is prohibited under the rule that I am seeking to repeal. It is prohibited. That is why 22 States and 7 local governments have filed suit against this regulation. But we can act.

The Congressional Review Act allows us to take action in this body, and that is why I filed that so we can take action. If we allow this rule to go forward, it will delay the implementation of carbon emission reductions—delay it. If we vote for the CRA, we will be back on track.

We have already seen the U.S. leadership challenged in this area with President Trump's decision to withdraw from the Paris accord—the only nation in the world that has done so. Who has filled that void? Quite frankly, it has been China.

Do we want to cede our leadership globally to a country with a controlled government economy like China or do we want to reassert U.S. leadership? We are going to have a chance to do that tomorrow with a vote in the U.S. Senate. I urge my colleagues to support the Congressional Review Act resolution I have filed, S.J. Res. 53.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

MR. VAN HOLLEN. Mr. President, I would like to start by thanking my friend and colleague from the State of Maryland, Senator CARDIN, for bringing this resolution to the floor of the Senate—as he said, we will be voting on it tomorrow—but also for his long-standing support and efforts in trying to protect our environment, to protect the Chesapeake Bay, and to address the urgent issue of climate change, which anybody with eyes can see is already having a devastating impact on communities throughout our country and, indeed, throughout the world.

I am also very pleased to be here with our colleague, the Senator from Rhode Island, Mr. WHITEHOUSE, who has made this such an important cause and has kept the Senate focused on this pressing issue.

As Senator CARDIN indicated, under the previous administration, under the leadership of President Obama, as a country we adopted something known as the Clean Power Plan rule. This was a historic step forward. It was a blueprint to create more good-paying jobs in the clean energy sector. In fact, we have seen a tremendous growth of those jobs in the area of solar and wind power and other jobs.

That Clean Power Plan rule, under the Obama administration, also really addressed the issue of carbon pollution in the atmosphere, beginning to reduce it significantly, to offset the damage and real costs we are already experiencing in communities from that climate change.

As Senator CARDIN said, this is an area where there are huge communities, if our country moves forward, in the area of clean energy jobs. Right now, with this new Trump administration action, we are ceding the playing field to China, which is happily seizing the initiative and moving forward and creating more and more jobs in the clean energy sector. If we don't wake up, we are going to lose that important global competition in the vital sector to China, which has established a goal of dominating the area of clean energy technologies by 2025.

Instead of building on the progress of the Obama administration, on June 19, the Trump administration decided to repeal and roll back these important

rules that have been put in place and substitute them with something that, in the worst case, actually makes the situation much worse than even before these Trump rules and, at the very least, is a huge retreat from the progress we were headed toward under the rules of the previous administration.

Let me just point out the analysis that was done by a very good organization called Resources for the Future. They looked at their analysis of this Trump proposal, which I agree with Senator CARDIN is better termed the "Trump dirty power plan," and they concluded it would do very little, if anything, to address climate change and would have an adverse air quality impact in many of our States.

Some people may recall when the Trump version of this power plan, the "dirty power plan," was released last year, people looked at the EPA's own analysis of that rule, and it showed that 1,630 of our fellow Americans would die prematurely under the Trump provisions compared to the Obama-era provisions.

So when the Trump administration released this most recent version of their amended plan back in June, they made it really difficult to put together all the data so people would not be able to connect the dots in many of these areas, but Senator CARDIN has presented some of the results of this. I want to emphasize those and put them in somewhat different terms, which is, what does the Trump rule accomplish compared to the Obama rule on some of these issues?

So with respect to carbon dioxide emissions, the Trump rule would reduce carbon dioxide emissions, carbon pollution emissions, by 2.7 percent of what the Obama administration would have done—2.7 percent of what the rule they are replacing would have done.

With respect to sulfur dioxide, the Trump plan reduces sulfur dioxide emissions by only 1.9 percent of what the Obama administration's rule would have done.

When it comes to nitrous oxide, the Trump proposal, the Trump plan, reduces nitrous oxide by only 2.5 percent compared to what the Obama provisions would have done.

If you take all of these together, you can see it is a really anemic proposal that takes us way backward compared to where we were. That is why I support Senator CARDIN's efforts on the floor, with the vote tomorrow, to say no, to say no to the Trump administration's efforts to roll back the progress on clean air, to roll back the progress on clean water because a lot of that pollution settles in places like the Chesapeake Bay, and to roll back progress on climate change, which we know is hitting our communities as we speak.

I want to give some additional Maryland examples here. The Baltimore Sun ran a story a little while back about the staggering costs that Maryland and

Marylanders would have to pay to build seawalls to protect communities from sea level rise. A study from the Institute for Governance & Sustainable Development found that in the coming decades, seawalls to protect thousands of homes, businesses, and farmlands from Ocean City to Baltimore City will cost more than \$27 billion—\$27 billion.

We have also seen dramatic flooding in the city of Annapolis that is already hurting the Naval Academy. This past week, we just had a famous national boat show, and in the middle of this boat show, there was huge flooding in the city of Annapolis. The costs to the city and that community are rising rapidly and have been well-documented.

I ask my colleagues to support Senator CARDIN's motion. Let's not go backward. Let's not go backward in terms of protecting our air. Let's not go backward in terms of the battle against climate change because going backward means less good jobs in America, it means more dirty air and more asthma, and it means ceding this important area to China and others in the global economy.

I urge my colleagues to support the motion of Senator CARDIN.

I yield the floor.

The PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from Rhode Island.

#### UNANIMOUS CONSENT AGREEMENT

MR. WHITEHOUSE. Madam President, I ask unanimous consent that the vote be extended until 4:30 p.m.

The PRESIDING OFFICER. Is there objection?

Seeing none, without objection, it is so ordered.

S.J. RES. 53

MR. WHITEHOUSE. Madam President, I am delighted to join my colleagues from Maryland and Delaware to support this resolution expressing disapproval of the Trump administration rescinding the Clean Power Plan and replacing it with its so-called affordable clean energy rule, which is a name fanciful enough to make George Orwell blush.

The first thing to understand about the so-called affordable clean energy rule is that it is a do-nothing rule, exactly as the polluters wish. EPA admits its own rule would do virtually zero to reduce carbon pollution. It requires zero emissions reductions at natural gas-fired powerplants, and it would allow coal-fired powerplants to make minor efficiency improvements and then run for longer hours. That could actually lead to an increase in carbon pollution.

This rule is designed to fool people into thinking that the Trump administration is obeying the Clean Air Act, but no one should be fooled.

From the get-go, the Trump administration made clear it didn't care about cutting carbon pollution, fighting climate change, or protecting the environment or public health. It cared about obeying the fossil fuel industry, not the law.